

PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 05/2015)

IN THE UNITED STATES DISTRICT COURT  
FOR THE Northern DISTRICT OF TEXAS  
AMARILLO DIVISION

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2016 JUN -8 PM 1:28

DEPUTY CLERK

AC

CURTIS W. JONES 1730946

Plaintiff's Name and ID Number

T. L. ROACH ISF CHILDRESS, TX

Place of Confinement

**2-16CV-111-J**

CASE NO.

(Clerk will assign the number)

v.

MTC 2002 LAMESA Hwy. BROWNFIELD, TX 79613

Defendant's Name and Address

CAPT. PEREZ <sup>2002</sup> ~~2002~~ LAMESA Hwy. BROWNFIELD, TX 79613

Defendant's Name and Address NAME UNKNOWN AT THIS TIME

PROPERTY / INTAKE OFFICER <sup>2002</sup> ~~2002~~ LAMESA Hwy 79613

Defendant's Name and Address

(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendants, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

**FILING FEE AND *IN FORMA PAUPERIS* (IFP)**

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$50.00 for a total fee of \$400.00.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

**CHANGE OF ADDRESS**

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "NOTICE TO THE COURT OF CHANGE OF ADDRESS" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

**I. PREVIOUS LAWSUITS:**

A. Have you filed any other lawsuit in state or federal court relating to your imprisonment? YES NO

B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)

1. Approximate date of filing lawsuit: 5-3-16
2. Parties to previous lawsuit:  
Plaintiff(s) ~~El Paso~~ ~~Attila~~ Curtis W. Jones  
Defendant(s) El Paso MUF (Avalon Corrections)
3. Court: (If federal, name the district; if state, name the county.) Federal El Paso County
4. Cause number: unknown at this time
5. Name of judge to whom case was assigned: unknown at this time
6. Disposition: (Was the case dismissed, appealed, still pending?) pending, just underway
7. Approximate date of disposition: \_\_\_\_\_

II. PLACE OF PRESENT CONFINEMENT: T.L. Roach ISF Childress, Tx.

III. EXHAUSTION OF GRIEVANCE PROCEDURES

Have you exhausted all steps of the institutional grievance procedure? ☒ YES ☐ NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: CURTIS W. JONES 15845 FM 164  
CHILDRESS, TEXAS 79201

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: CAPT PEREZ 202 LAMESA HWY. BROWNFIELD, TX 79613

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

THIS PERSON STARTED THIS WHOLE NIGHTMARE, CAN'T UNDERSTAND

Defendant #2: PROPERTY INTAKE OFFICER 202 BROWNFIELD, TX 79613 <sup>ENGLISH</sup>

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

CAUSED THE THEFT OF SOME OF MY PROPERTY, TRUSTING AN INMATE

Defendant #3: THE MAJOR OF THE UNIT 202 LAMESA HWY. BROWNFIELD, TX  
79613

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

LEFT ME LOCKED IN A SINGLE MAN CELL WITHOUT DRINKING WATER 5 DAYS

Defendant #4: MTC 202 BROWNFIELD, TX 79613

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

FOR HIRING SUCH INCOMPETENT PERSONEL

Defendant #5:

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

## V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

THIS IS THE WORST FACILITY I'VE EVER ENCOUNTERED, FIRST OFF I WAS put in Seg for no ~~reason~~ reason by A Captain that can't understand the English language well, AND it CAUSE me to go 5 days without fresh water, AND NO shower for 5 days AS well. AND they had ~~the~~ attitude with me for telling them there was no drinking water, AND the shower ~~was~~ was broken. AFTER they (WARDEN AND the MAJOR) figured out the (CAPT PEREZ) was wrong on his findings ABOUT the letter I'd wrote, the MAJOR somewhat Apolized AND ~~S~~ SAID I was going to be let out of Seg, only it was 5 days later.

## VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

TO TAKE FROM A PERSON WHILE THERE LOCKED UP IS LOW DOWN, A 1 million DOLLAR JUDGEMENT WOULD MAKE THEM THINK TWICE NEXT TIME.

## VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

THE ONE AND ONLY, THAT MY MOTHER GAVE ME, CURTIS W. JONES

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

NONE, THIS IS THE ONLY CONVICTION OF MY 59 YEARS OF LIFE

## VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): N/A

2. Case number: N/A

3. Approximate date sanctions were imposed: N/A

4. Have the sanctions been lifted or otherwise satisfied? YES ☒ NO

C. Has any court ever warned or notified you that sanctions could be imposed? YES ☒ NO

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): N/A

2. Case number: N/A

3. Approximate date warning was issued: N/A

Executed on: N/A  
DATE

CURTIS W. JONES  
Curtis W. Jones  
(Signature of Plaintiff)

#### PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
(Day) (month) (year)

CURTIS W. JONES  
Curtis W. Jones  
(Signature of Plaintiff)

**WARNING:** Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

## Theft of the tee shirt

①

In April 27, 2016 I was transferred from the El Paso, county jail to West Texas ISF in Brownfield, Tex, located at 2002 Lamesa Hwy, once at the facility we were asked to remove our clothes and put them in a metal basket. When everything removed was written down on paper or checked off by a female officer her name unknown at this time, but I'd know her if I saw her, she was assisted by an Mexican guy whom I'd seen at the halfway house in El Paso, Tex when I lived there. He was calling off what was removed from each one of us, a total of five guys was on the chain, I was the last guy to be called. Once he got to me I removed the last garment, it was a white tank top tee shirt very popular in jail ~~and~~ situation and setting. It a muscle shirt so to speak, once I removed it he the Mexican guy, her assistance, looked at the tank top and set it off in a different spot <sup>from</sup> ~~than~~ the other clothes, I'd said to myself that he's going to steal my tank top. On May 19, 2016 I was transferred to Childress a facility up there ran by TDC. Once I was getting dressed in my street clothes that

(2)

I'd gotten out of on the 27<sup>th</sup> April 2016 my thoughts were correct about the Mexican guy about taking my shirt, (the tank top) it was gone from the rest of my things. I'd turned and told the lady the intake lady that had taken the clothes in, in the first place, that he had stole my white tank top and she asked me who was I talking about, and I told her who, there was just the two of them, and looked at my inventory slips and said I'll have a talk with him, and she kept my inventory slips to boot, so I'm out of a tank top, all her fault for not keeping an eye on that guy. Before we were undressed ~~but~~ he'd (the Mexican guy) asked us all 5 of us if we had anything that we needed to get inside that then was the time to give it to him, that told me he was a crooked trustee, I didn't trust him from the first time I met him. This guy done the same things (stole) at the halfway house in El Paso where he was there.

End of Statement

①

Without water for 5 days (and shower  
also wallet and contents gone from  
property)

On May 10, 2016 Tuesday I wrote a letter to  
my teacher explaining to her the problem I was  
having with my meds, taking ~~them~~ them on  
an empty stomach, the chow hall had been on  
an off with the diabetic ~~snack~~ <sup>snack</sup> that goes  
with be a diabetic, some time they (the chow hall)  
would give on and most of the time they wouldn't  
finally they cut me off and other type 2 diabetes  
down to weekends only. So the letter I wrote  
was strictly about that, and I asked her about  
my ~~at~~ debit card, I told her I had my own  
money, and I ask her if ~~ago~~ she could go to  
the Mayor and the Warden to see if she  
or Mrs. Vee could use my debit to put money  
on my books so I could buy food stuff so  
I can could take my meds accordly and  
on a timely basis, around the class hours  
because some of the meds make me go to  
sleep. What happen next on a Wednesday May  
11, 2016 I ask Mrs. Hopkins ~~did~~ could anything  
be done, she said no, what I didn't know  
~~why~~ <sup>why</sup> ~~that~~ she'd given the letter to Capt Perez  
and what ~~the~~ I didn't know was that I had  
to figure out that Capt Perez didn't understand  
~~can~~ English that well or he couldn't read a letter



(2)

and understand it at the same time, anyway he was under the impression that I was trying to get her to do it for money, and that just wasn't the case, so on May 12, 2016 I was summoned from Adorn by Lt. Young that the Capt ~~Perez~~ Perez wanted me in his office, ~~once~~ in the office he'd asked me if I noticed the letter I'd written in his hand I quickly said yes, and he asked my your proposition

Mr. Hopkins to go and get money off ~~your~~ <sup>my</sup> debit card for money; I told him I did not, he said I did so, he then ~~make~~ made a phone call to either the Warden or the Mayor and asked who ever it was did you want me to lock him up and I guess whoever it was said to lock me up, and that's what ~~that~~ he done, he ~~put~~ strategically put me in that cell because he knew of the things wrong in 51 cell in Segregation part of the jail at LSF West Isl. The cell I was in (51) had running water but it ran a little too hard if you get my drift, the water part that drinking water came from would literally shoot up to the roof of the cell, much too hard for any human to drink from. I went and showed it to a female male Sgt. and it really did shock her I could see it on her face, she replied

(3)

she was going to get me move to another cell where I could get water to drink, I told her I was going to be moved in the morning and she never showed back up. So after 5 days had past I was put on notice that I didn't have water to drink in cell 5 one, the older bald head Sgt male that works on days simple didn't want to wait on me at all, but he'd wait on the guy next to me that kicked on the door and yelled all day and nite, maybe it was because he was on meds. ~~for~~ For some reason I was being looked at as if I'd done something wrong, when in fact I deserved a apologize from the Capt especially for being wrong about that letter that I wrote. Back to the female Sgt. she and a Mexican guard with one arm was most helpful to me while being locked up back there, the guard with the one ~~to~~ arm, after 5 days without actual water, was the first to ask if I needed water and a shower, this was the most in human situation I'd ever been in, in my 59 years of life. After the 5 day had past May 19, 2016 I was moved to the Childress ISF only to be told by the Major on May 13 that I was returning to a dorm where I came from. Once in or at the Childress Facility my property was inventoried <sup>only</sup> ~~to~~ to find out that my whole wallet was missing with all my personal identification, social security card, debit card, and other cards as well

(4)

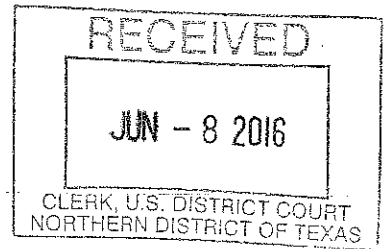
This company MTC shows me that the integrity level of this company is lacking to say the least of a inmate to have these things <sup>away</sup> took ~~at~~ by theft is one of the worst things that can happen to a man, first of all we already don't have much, and what little we do have to have to go back and ~~try~~ try and get it again is a major set back for an inmate ~~so~~ that's trying to do well and somebody like a company that's housing you for the State of Texas, both the State and the company MTC is responsible of this behavior. This is the main reason for this law-suit is to expose this corrupt company ~~so~~ so that the State of Texas ~~can~~ can exclude this company from there services cause this is unacceptable, ~~not~~ in the eyes of the law, theft is a crime. This is surely a blantly civil rights act against an inmate to take his or her things while one is locked up. ~~End of Statement~~ bottom line is, that a crime has been committed by this company and there has to be some justice served. End of Statement  
 Quentin W. Jones 1730946

6-3-16

FIRST OFF I WOULD LIKE TO SEEK PERMISSION TO enter this COURT SYSTEM TO HEAR THIS MUCH NEEDED CASE SO THAT ANYONE WON'T BE VICTIMIZED BY THIS COMPANY MTC, MANAGEMENT TRAINING CORP. THIS CASE INVOLVED POSSIBLE IDENTITY THEFT, BECAUSE MY SOCIAL SECURITY CARD, ID CARD, MY DEBIT CARD, AND OTHER SENSE-SENSITIVE DOCUMENTS. THAT ~~WAY~~ WHY I'M FILING THIS SUIT SO QUICKLY. EVEN THE FOLKS AT TDCJ THE PROPERTY OFFICER AT TL, ROACH UNIT ISF SAID SHE HAS HAD PROBLEMS WITH THESE'S PEOPLE KEEP INMATE THINGS, SOME NEVER GET THEM BACK. EVERYTHING TAKEN ~~BE~~ FROM ME IS BADLY NEEDED FOR REENTRY, OF ALL PEOPLE THEY SHOULD REALIZE IT. IT'S A SHAME THAT A MAN GET'S LOCKED UP IN A FACILITY AND GET RIPPED OFF IN THE PROCESS, THEY ALSO TOOK CLOTHING FROM ME AS WELL, NO TO MENTION THE 5 DAYS WITHOUT WATER OR 5 DAYS WITHOUT A SHOWER, I ~~DON~~ DID DO ANYTHING TO GET THIS HARSH TREATMENT. I WANT SOME JUSTICE IN THIS CASE, CAUSE NO HUMAN SHOULD BE TREATED LIKE THIS, AND THIS IS MY VERY FIRST CONVICTION, SO I'M NO CAREER CRIMINAL AT ALL, I'M REALLY A PRETTY GO PERSON.

THANK YOU FOR THIS OPPORTUNITY  
FOR JUSTICE AMARILLO

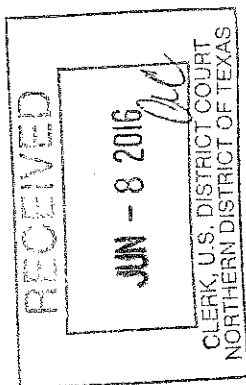
To: U.S. District Clerk



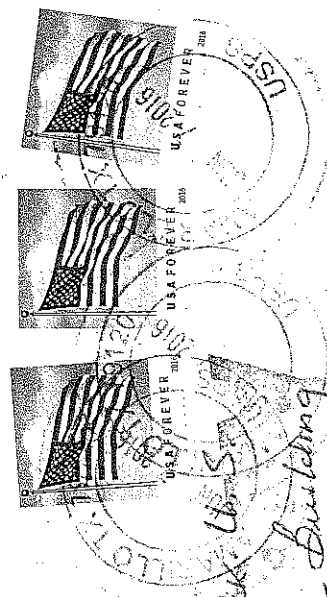
By the time you get this message I'll be moved ~~to~~ to a El Paso, Texas facility the address is: Curtis W. Jones @ 1730946  
1650 Horizon Blvd.  
El Paso, Texas 79928  
(915) 852-1505

At the present time I have in the Roach 15F unit for at least the 26 of June, I could leave sooner, but the address above is where I should be its really up to T.D.C. I will be in touch to keep you posted okay Thank you

CURTIS W. JONES #1730946  
T.L. ROACH ISF  
15845 FM 164  
CHILDRESS, TEXAS 79201



LEGAL MAIL



ATTN: District Clerk U.S. District Court  
J. MARVIN JONES FEDERAL BUILDING  
205 SOUTHEAST FIFTH AVENUE Room 133  
AMARILLO, TEXAS 79101-1559